

10/18/01

JC891 U.S. PTO

10-22-01

Please type a plus sign (+) inside this box ☒

PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	0232W/00008-U
First Inventor	Cleaver et al.
Title	Illumination Device for Simulation of Neon Lighting
Express Mail Label No.	EL 899377905 US

PTO  
09/982705  
10/18/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages **32**]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **9**]
- ☒ Oath or Declaration [Total Pages **3**]
  - ☒ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
  - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
- Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney (3)  
*(when there is an assignee)*
- ☐ English Translation Document *(if applicable)*
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
- ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
- ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_/\_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	<b>24350</b> <i>(Insert Customer No. or Attach bar code label here)</i>	or	<input type="checkbox"/> Correspondence address below
Name			
Address			
City		State	Zip Code
Country	Telephone	Fax	

Name (Print/Type)	Vance A. Smith	Registration No. (Attorney/Agent)	24,320
Signature	<i>Vance A. Smith</i>	Date	10/18/01

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 632.00)

**Complete if Known**

Application Number

Filing Date

First Named Inventor

Cleaver et al.

Examiner Name

Group Art Unit

Attorney Docket No.

0232W/00008-U

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
NumberDeposit  
Account  
Name☐ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17☒ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 740 201 370 Utility filing fee

106 330 206 165 Design filing fee

107 510 207 255 Plant filing fee

108 740 208 370 Reissue filing fee

114 160 214 80 Provisional filing fee

Fee Paid

370.

SUBTOTAL (1) (\$ 370.00)

**2. EXTRA CLAIM FEES**

Total Claims 40 -20\*\* = 20 x 9.00 = 180.  
 Independent Claims 4 -3\*\* = 1 x 42. = 42.  
 Multiple Dependent =

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim, if not paid

109 84 209 42 \*\* Reissue independent claims  
over original patent110 18 210 9 \*\* Reissue claims in excess of 20  
and over original patent

SUBTOTAL (2) (\$ 222.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**Large Small  
Entity EntityFee Fee Fee Fee  
Code (\$) Code (\$) Code (\$) Code (\$)

Fee Description

Fee Paid

105 130 205 65

Surcharge - late filing fee or oath

127 50 227 25

Surcharge - late provisional filing fee or  
cover sheet

139 130 139 130

Non-English specification

147 2,520 147 2,520

For filing a request for *ex parte* reexamination

112 920\* 112 920\*

Requesting publication of SIR prior to  
Examiner action

113 1,840\* 113 1,840\*

Requesting publication of SIR after  
Examiner action

115 110 215 55

Extension for reply within first month

116 400 216 200

Extension for reply within second month

117 920 217 460

Extension for reply within third month

118 1,440 218 720

Extension for reply within fourth month

128 1,960 228 980

Extension for reply within fifth month

119 320 219 160

Notice of Appeal

120 320 220 160

Filing a brief in support of an appeal

121 280 221 140

Request for oral hearing

138 1,510 138 1,510

Petition to institute a public use proceeding

140 110 240 55

Petition to revive - unavoidable

141 1,280 241 640

Petition to revive - unintentional

142 1,280 242 640

Utility issue fee (or reissue)

143 460 243 230

Design issue fee

144 620 244 310

Plant issue fee

122 130 122 130

Petitions to the Commissioner

123 50 123 50

Processing fee under 37 CFR 1.17(q)

126 180 126 180

Submission of Information Disclosure Stmt

581 40 581 40

Recording each patent assignment per  
property (times number of properties)

146 740 246 370

Filing a submission after final rejection  
(37 CFR § 1.129(a))

149 740 249 370

For each additional invention to be  
examined (37 CFR § 1.129(b))

179 740 279 370

Request for Continued Examination (RCE)

169 900 169 900

Request for expedited examination  
of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

**SUBMITTED BY**

Name (Print/Type)

Vance A. Smith

Registration No.  
(Attorney/Agent)

24,320

Complete (if applicable)

Telephone

502-587-3400

Signature

Vance A. Smith

Date

10-18-01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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**CERTIFICATE OF EXPRESS MAILING**

**EL899377905US**

Inventor: Cleaver et al.

Title: ILLUMINATION DEVICE FOR SIMULATION OF NEON LIGHTING

Attorney Docket No.: 0232W/00008-U

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to:

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

On October 18, 2001.

Date

Memorie Stofferahn

Signature

Memorie Stofferahn

Typed or printed name of person signing Certificate

**Enclosures:**

- Utility Patent Application Transmittal
- Utility Patent Application including:
  - 32 sheets of specification
  - 9 sheets of drawings
- Declaration
- Power of Attorney (3)
- Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)
- Assignment with Recordation Form Cover Sheet
- Fee Transmittal
- Check in the amount of \$632.00 for filing fee
- Return postcard

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

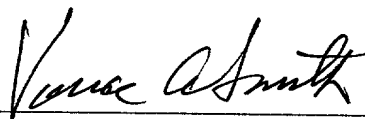
First Named Inventor	Cleaver et al.
Title	Illumination Device for Simulation of Neon Lighting
Atty Docket Number	0232W/00008-U

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10-18-01

Date



Signature

Vance A. Smith

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.